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13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15

16 IN RE PACIFIC FERTILITY CENTER
17 LITIGATION

Case No. 3:18-cv-01586-JSC

**DECLARATION OF ERIN M. BOSMAN
IN SUPPORT OF CHART INC.'S
AMENDED ADMINISTRATIVE
MOTION TO FILE UNDER SEAL NO. 3**

Judge: Honorable Jacqueline Scott Corley

1 I, Erin M. Bosman, declare as follows:

2 1. I am a partner at the law firm of Morrison & Foerster LLP and counsel of record
3 for Third Party Pacific MSO, LLC. I am an attorney admitted to practice in the State of
4 California and am admitted to practice before this Court. I submit this declaration in support of
5 Chart's Amended Administrative Motion to File Under Seal No. 3. (ECF No. 646.) I have
6 personal knowledge of the matters stated below.

7 2. On January 8, 2021, Pacific MSO filed the Declaration of Alden Romney in
8 Support of Chart's Administrative Motion to File Under Seal. (ECF No. 642.) Pacific MSO filed
9 the declaration to support the sealing of a select portion of an exhibit submitted by Chart in
10 support of its Motion for Summary Judgment.

11 3. Romney's declaration included support for the sealing of page 288, line 8 and the
12 section of the last page of the index referring to the term on page 288, line 8 of Exhibit B to the
13 Ringel Declaration in Support of Chart's Motion for Summary Judgment, which contains the
14 transcript of the October 9, 2019 deposition of Joseph Conaghan ("Conaghan Deposition"), on the
15 grounds that select portions of the Conaghan Deposition contain the confidential patient
16 identification number of one of PFC's patients. Romney testified in his declaration that this
17 confidential patient identification number is reflected in PFC's confidential patient records, is not
18 publicly known, and its confidentiality is strictly maintained. (See ECF No. 642 ¶ 3.)

19 4. Later that same day, Chart filed an Amended Administrative Motion to File Under
20 Seal No. 3 requesting an administrative order to file under seal, among other things, select
21 portions of the Conaghan Deposition—page 288, line 8 and the section of the last page of the
22 index referring to the term on page 288, line 8.

23 5. Because Pacific MSO already submitted a declaration in support of the sealing of
24 page 288, line 8 and the section of the last page of the index referring to the term on page 288,
25 line 8 of the Conaghan Deposition, Pacific MSO will not be submitting an additional declaration
26 in support of Chart's Amended Motion No. 3 and instead refers the Court to ECF No. 642 ¶ 3.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct and that this declaration was executed on January 12, 2021, in San Diego,
3 California.

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5 /s/ Erin M. Bosman
Erin M. Bosman
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